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Reissue

A/R

ATTORNEY DOCKET 75036DAN

## REISSUE PATENT APPLICATION TRANSMITTAL

jc872 U.S.P.T.O.  
09/927036  
08/09/01

To: Assistant Commissioner for Patents  
Box Patent Applications  
Washington, D.C. 20231

Express Mail Label No. EL656967578US

Date: August 9, 2001

HYBRID CAMERA SYSTEM WITH  
ELECTRONIC ALBUM CONTROL

U.S. Patent 5,940,121  
Granted August 17, 1999

First Named Inventor (or Application Identifier):

Dale F. McIntyre, et al

Enclosed are:

1.  Reissue Application and Claims

5. Original U.S. Patent currently assigned?

 Yes  No

(If Yes, check applicable box(es))

2.  Drawing(s) Written Consent of all Assignees  
 37 CFR §3.73(b) Statement3.  Reissue Oath/Declaration (original) (37 CFR §1.175)6.  Request for Transfer of Drawings

4. Original U.S. Patent

7.  Request for Abstract of Title Report Offer to Surrender Original Patent (37 CFR §1.178)8.  Information Disclosure Statement/PTO-1449

OR

 Ribboned Original Patent Grant  
 Affidavit/Declaration of Inaccessibility9.  Letter Under Rule 5310.  Please address all written communications to Milton S. Sales, Patent Legal Staff,  
Eastman Kodak Company, 343 State Street, Rochester, NY 14650-2201.

Please Direct all telephone calls to David A. Novais at (716) 588-2727

The filing fee has been calculated as shown below:

FOR:	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE				\$ 710
TOTAL CLAIMS	18	- 20 =	18	x 18 = \$ 0
INDEPENDENT CLAIMS	5	- 3 =	2	x 80= \$ 160
MULTIPLE DEPENDENT CLAIM PRESENTED		+ 270		\$0
			<b>TOTAL</b>	<b>\$ 870</b>

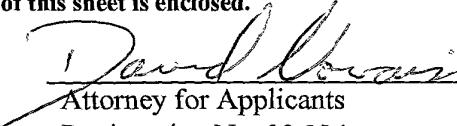
 Please charge my Eastman Kodak Company Deposit Account No. 05-0225 in the amount of \$ 0.

A duplicate copy of this sheet is enclosed

 The Assistant Commissioner is hereby authorized to charge any additional filing fees required under  
37 CFR 1.16 or credit any overpayment to Eastman Kodak Company Deposit Account No. 05-0225.

A duplicate copy of this sheet is enclosed.

David A. Novais/Id  
Telephone: (716)588-2765  
Facsimile: (716)477-1148

  
Attorney for Applicants  
Registration No. 33,324

REISSUE Docket 75036DAN  
Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	Group Art Unit:
Dale F. McIntyre, et al	Examiner:
HYBRID CAMERA SYSTEM WITH ELECTRONIC ALBUM CONTROL	Express Mail Label No. EL656967578US
Reissue Application No.	Date <i>August 9, 2001</i>
Filed Herewith	
Reissue for U.S. Patent 5,940,121 Issued 17 August 1999	

Honorable Assistant Commissioner for Patents  
**Box Patent Applications**  
Washington, D.C. 20231

Sir:

**STATEMENT AND CONSENT OF ASSIGNEE IN SUPPORT OF REISSUE**

The Eastman Kodak Company, hereinafter designated the Assignee, a corporation of the State of New Jersey, having a principal place of business at 343 State Street, Rochester, New York 14650, states that it is the assignee of the entire interest in Letters Patent 5,940,121, issued August 17, 1999, to the inventors Dale F. McIntyre and Dana W. Wolcott.

The Assignee consents to the accompanying application and hereby offers to surrender said Letters Patent. Assignee prays that said Letters Patent be reissued to the Assignee in the form indicated in the annexed amended specification. According to Assignee procedures, said Letters Patent was destroyed after all necessary computer entries were made and is therefore inaccessible.

The Assignee hereby appoints the attorney(s) and/or agent(s) associated with Eastman Kodak Company Customer No. 01333 with full power of substitution and revocation to prosecute this application, to make alterations and amendments therein, to receive the Letters Patent in its original and reissue forms, and to transact all business

-2-

in the United States Patent and Trademark Office connected therewith, the said power to be exercised either separately or collectively by said attorneys as they shall from time to time elect. Please address all written communications to Milton S. Sales, Eastman Kodak Company, Patent Legal Staff, Rochester, New York 14650-2201 and direct all telephone calls to David A. Novais at 716-588-2727.

The undersigned declares further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and the such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

EASTMAN KODAK COMPANY

By:

  
Gary P. Van Grafeiland  
Senior Vice President  
and General Counsel

Date: 7-25-01

0962637025 - FEB 2002

REISSUE

Docket 75036DAN  
Customer No. 01333

JC872 U.S. PRO  
09/927036



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dale F. McIntyre, et al

HYBRID CAMERA SYSTEM  
WITH ELECTRONIC ALBUM  
CONTROL

Reissue Application No.

Filed Herewith

Reissue for U.S. Patent 5,940,121

Issued 17 August 1999

Group Art Unit:

Examiner:

Express Mail Label No. EL656967578US

August 9, 2001

Date

Honorable Assistant Commissioner for Patents  
**Box Patent Applications**  
Washington, D.C. 20231

Sir:

REQUEST FOR ABSTRACT OF TITLE IN ACCORDANCE  
WITH 37 CFR 1.171

Please prepare a certificate Abstract of Title for the above-identified original patent for placement in the official file of the reissue application which is filed herewith.

Title in the name of Eastman Kodak Company was recorded on May 27, 1997, at Reel 8542/Frame 613-614.

For the fee required by 37 CFR §1.19(b)(6), the Commissioner is hereby authorized to charge Deposit Account No. 05-0225 for any fee which may be required or credit of overpayment. *A duplicate of this request is attached.*

Respectfully submitted,

Attorney for Applicants  
Registration No. 33,324

David A. Novais/ld  
Telephone: (716) 588-2727  
Facsimile: (716) 477-1148

REISSUE

Docket 75036DAN  
Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Dale F. McIntyre, et al

**HYBRID CAMERA SYSTEM  
WITH ELECTRONIC ALBUM  
CONTROL**

Reissue Application No.

Filed Herewith

Reissue for U.S. Patent 5,940,121

Issued 17 August 1999

Group Art Unit:

Examiner:

Express Mail Label No. EL656967578US

Date

*August 9, 2001*

Honorable Assistant Commissioner for Patents

**Box Patent Applications**

Washington, D.C. 20231

Sir:

**37 CFR § 1.175 STATEMENT OF INOPERATIVENESS  
OF ORIGINAL PATENT (INVENTOR)**

Applicants, Dale F. McIntyre and Dana W. Walcott declare that:

We have reviewed and understand the contents of the specification, including the claims, of the attached reissue application.

We believe ourselves to be the original, first, and joint inventors of the subject matter claimed in HYBRID CAMERA SYSTEM WITH ELECTRONIC ALBUM CONTROL for which we solicit a patent, described and claimed in our original Letters Patent No. 5,940,121 ('121 patent), issued August 17, 1999, based on U.S. Patent Application Serial No. 08/803,548, filed February 20, 1997, and for the attached specification for which invention we solicit a reissue patent. As to the subject matter of the application, we do not know and do not believe that this subject matter was ever known or used in the United States

prior to our invention or discovery thereof. We have the following citizenship, residence and post office addresses:

2	FULL NAME OF INVENTOR	FAMILY NAME <b>McIntyre</b>	FIRST GIVEN NAME <b>Dale</b>	SECOND GIVEN NAME <b>F.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>Rochester</b>	STATE OR FOREIGN COUNTRY <b>New York 14472</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
1	BUSINESS ADDRESS	BUSINESS ADDRESS <b>Eastman Kodak Company</b>	CITY <b>343 State Street, Rochester</b>	STATE & ZIP CODE (COUNTRY) <b>New York 14650 USA</b>
2	FULL NAME OF INVENTOR	FAMILY NAME <b>Wolcott</b>	FIRST GIVEN NAME <b>Dana</b>	SECOND GIVEN NAME <b>W.</b>
0	RESIDENCE & CITIZENSHIP	CITY <b>Rochester</b>	STATE OR FOREIGN COUNTRY <b>New York 14472</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
2	BUSINESS ADDRESS	BUSINESS ADDRESS <b>Eastman Kodak Company</b>	CITY <b>343 State Street</b>	STATE & ZIP CODE (COUNTRY) <b>New York 14650 USA</b>

We believe that our issued '121 patent is partly inoperative by reason of our claiming more or less than we had a right to claim in the patent. The claims of the '121 patent are directed to an album creation and organization system for cameras in which images are captured on photographic film and on an electronic imager. It is believed that the album creation and organization system of the invention is applicable to other types of cameras such as digital cameras. Support for digital cameras can be found in col. 4, lines 18-22 of the '121 patent specification, which states that the "teachings of the present invention can extend to SLRs, as well as other known cameras, including digital cameras, which can also be adapted in a similar fashion".

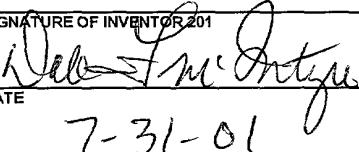
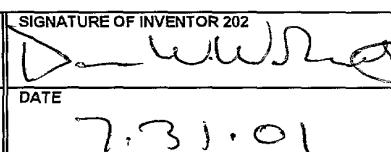
The present reissue application overcomes the inoperativeness of the '121 patent by adding additional claims based on the original allowed claims, for example, to cover digital type cameras.

We acknowledge our duty to disclose information of which we are aware is material to the examination of this application.

The errors arose without any deceptive intention on our part.

We hereby appoint the attorney(s) and/or agent(s) associated with Eastman Kodak Company Customer No. 01333 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Please address all written communications to Milton S. Sales, Eastman Kodak Company, Patent Legal Staff, Rochester, New York 14650-2201 and direct all telephone calls to David A. Novais at 716-588-2727.

The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202
	
DATE	DATE
7-31-01	7-31-01

REISSUE Docket 75036DAN  
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dale F. McIntyre, et al

**HYBRID CAMERA SYSTEM  
WITH ELECTRONIC ALBUM  
CONTROL**

Reissue Application No.

Filed Herewith

Reissue for U.S. Patent 5,940,121

Issued 17 August 1999

Group Art Unit:

Examiner:

Express Mail Label No. EL656967578US

*August 9, 2001*

Date

Commissioner for Patents  
**Box Patent Applications**  
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 CFR 3.73(b)

The Eastman Kodak Company, hereinafter designated the Assignee, a corporation of the State of New Jersey, having a principal place of business at 343 State Street, Rochester, New York 14650, states that it is the assignee of the entire interest in U.S. Letters Patent No. 5,940,121, issued August 17, 1999, to the inventors Dale F. McIntyre and Dana W. Wolcott. The Assignee hereby confirms that an assignment for the subject patent was recorded on May 27, 1997, at Reel 8542/Frame 613-614 in the U.S. Patent and Trademark Office.

The undersigned has reviewed all the documents of title of the patent application identified above and to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are

believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so make, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

EASTMAN KODAK COMPANY

By:

  
J. Jeffrey Hawley  
Assistant General Counsel

Date:

7/24/01

**REISSUE**                   **75036DAN**  
**Customer No. 01333**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	Group Art Unit: To Be Assigned
Dale F. McIntyre et al	Examiner: Unknown
HYBRID CAMERA SYSTEM WITH ELECTRONIC ALBUM CONTROL	Express Mail Label No. EL656967578US
Serial No. To Be Assigned	Date <u>August 9, 2001</u>
Filed Herewith	

Commissioner for Patents  
Washington, D.C. 20231

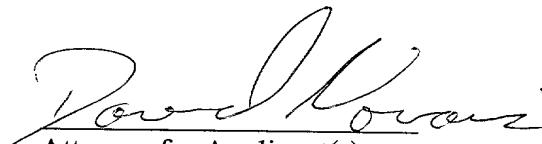
Sir:

**LETTER UNDER RULE 53**

Pursuant to Rule 53, the above-identified application, enclosed herewith, is being filed in the names of the inventors, Dale F. McIntyre and Dana W. Wolcott. The declaration under 37 CFR 1.175 signed by Dale F. McIntyre and Dana W. Wolcott is transmitted herewith.

Please address all correspondence to Milton S. Sales, Patent Legal Staff, Eastman Kodak Company, Rochester, New York 14650-2201. Please direct all telephone communications to David A. Novais at (716) 588-2727.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicant(s)  
Registration No. 33,324

David A. Novais/lد  
Telephone: (716) 588-2727  
Facsimile: (716) 477-1148

**REISSUE**

**Docket 75036DAN  
Customer No. 01333**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Group Art Unit:

Dale F. McIntyre, et al

Examiner:

HYBRID CAMERA SYSTEM  
WITH ELECTRONIC ALBUM  
CONTROL

Express Mail Label No. EL656967578US

Reissue Application No.

*August 9, 2001*

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Reissue for U.S. Patent 5,940,121

Issued 17 August 1999

Commissioner for Patents

**Box Patent Applications**

Washington, D.C. 20231

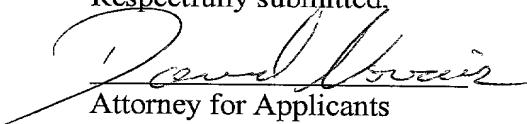
Sir:

**REQUEST FOR TRANSFER OF DRAWINGS**

Please transfer the drawings from Applicants' issued Patent 5,940,121 issued August 17, 1999 on U.S. Serial No. 08/803,548 filed February 20, 1997 to this patent application pursuant to 37 CFR 1.88.

The Assistant Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225. **A duplicate copy of this letter is enclosed.**

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants  
Registration No. 33,324

David A. Novais/lد  
Telephone: (716) 88-2727  
Facsimile: (716) 477-1148